The Role of the U.S. Department of Justice in Protecting Citizens Abroad: A Case Study of Educational Rights Violations in Hungary

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Public-interest & Evidence Note: This working paper is a policy case study based on the author's contemporaneous records and formal filings with Hungarian oversight bodies (**Ombudsman Case No. EBF–AJBH–309–2025; Administrative Court Case No. 7. Kpk . 750.239/2025/2)**. Statements in this manuscript characterizing actions as "retaliation," "discrimination," "obstruction," or "fraudulent" describe the substance of the complainant's allegations and the documentary record reproduced in the appendices; they are not judicial findings. Primary exhibits (**emails, NEPTUN entries, photographic evidence)** are appended. The author invites the University or any named party to provide any published contrary record or regulation and will correct the public record where appropriate.

Abstract

This paper examines the role of the **U.S. Department of Justice (DOJ**), specifically its **Civil Rights Division and Office of International Affairs**, in protecting U.S. citizens abroad when local institutions fail to uphold fundamental rights. Using the case of a U.S. citizen medical student in Hungary, documented in **Ombudsman Case No. EBF–AJBH–309–2025 and Administrative Court Case No. 7, KPK. 750.239/2025/2,** the study highlights systemic educational obstruction, discriminatory oral examinations, and administrative inaction.

As of the date of writing, the Hungarian Ombudsman and Administrative Court have not issued a final remedial order in this matter; the paper reproduces the chronology of filings and responses in the appendices. The Hungarian Ombudsman and Administrative Court have yet to reach a conclusive decision regarding the violations, leaving the complainant without a confirmed answer to the complaint. In such cases, escalation to U.S. authorities is not only a personal necessity but also a matter of enforcing transnational civil rights. The paper situates the DOJ's role within U.S. constitutional obligations, consular protection, and international law, concluding that U.S. intervention is essential in safeguarding the rights of its citizens studying abroad.

Introduction

Each year, thousands of U.S. citizens pursue higher education abroad, entering academic systems with varying degrees of transparency, accountability, and fairness. When discrimination or obstruction occurs, domestic remedies in the host country may be unavailable, inadequate, or biased. This raises critical questions about the role of U.S. institutions in protecting their citizens abroad.

This paper examines the case of an American medical student at Semmelweis University in Hungary who faced systemic educational obstruction and discriminatory practices. Despite pursuing remedies through local oversight bodies, including the **Hungarian Ombudsman (Case No. EBF–AJBH–309–2025)** and the **Administrative Court (Case No. 7. Kpk . 750.239/2025/2)**, the violations persisted without effective redress.

The research question guiding this case study is: **What role can the U.S. Department of Justice—through its Civil Rights Division and Office of International Affairs—play when local remedies fail, and a U.S. citizen is subjected to systemic rights violations abroad?**

Findings

1. Position of Local Institutions

The **Hungarian Ombudsman acknowledged receipt of the case but has yet to act**, despite clear evidence of educational rights violations. Similarly, the Administrative Court docketed the petition but has yet to provide timely or effective remedies. The European Commission declined jurisdiction, leaving the complainant without viable recourse at the national or regional level.

2. Documented Violations

The complainant reported multiple instances of obstruction, including denial of access to dissection and anatomy laboratories despite active enrollment, biased oral examinations that disproportionately disadvantaged international students, the use of incomplete or inadequately preserved specimens during assessments, and the administrative lodging of complaints with the Hungarian Administrative Court and the Hungarian Commissioner for Human Rights.

Exhibit 1 — Departmental email instructing “drop signature / re-earn” (February 9, 2025). What it signifies: A departmental communication from Dr. Székely indicating that individuals are required to "drop their signature and re-earn it" as a prerequisite for attending classes. The email text has been printed and included in the redacted court bundle.

RE: FM Macro Anatomy and Embryology II and Micros Anatomy and Embryology I Semifinal

From: [REDACTED NAME] (Anatómia) [REDACTED EMAIL] To: [REDACTED AUTHOR] [REDACTED EMAIL] Date: Sun, Feb 9, 2025, 1:14 PM

Dear Siddharta,

You may only visit lectures if you are under the FM course. If you want to visit classes, you will have tod rop your signature and earn it again passing the midterms and being present with no absence beyond 25%. Thank you,

Dr Székely

DR. SZÉKELY ANDREA DOROTTYA
EGYETEMI DOCENS
SEMMELWEIS EGYETEM
ANATÓMIAI, SZÖVET- ÉS FEJLŐDÉSTANI INTÉZET
1094, Budapest, [REDACTED ADDRESS] 58.
[REDACTED PHONE] [REDACTED EMAIL]

From: [REDACTED AUTHOR] <[REDACTED EMAIL]>

Sent: Saturday, February 8, 2025 9:18 AM

To: [REDACTED NAME] (Anatómia) <[REDACTED EMAIL]>

Subject: FM Macro anatomy and Embryology II and Microsnatomy and Embryology I semfinal

Dear Dr Szekely

I have the signed for the courses mentioned in the email subject. I would like to attend the Macroanatomy and Embryology II Lecture and practical to review for the exam. I already got signature on May 17 , 2024, for Macro anatomy and Embryology II.

Exhibit 1 — Departmental email instructing “drop signature / re-earn” (February 9, 2025). What it signifies: A departmental communication from Dr. Székely indicating that individuals are required to "drop their signature and re-earn it" as a prerequisite for attending classes. The email text has been printed and included in the redacted court bundle.

Microanatomy and Embryology I I would like to attend it for the review for semifinal in May 2025. I also have it signed just need to prepare the exam.

sincerely yours

[NEPTUN] A(n) has been registered for the subject AOKANT853_2A.

From: Neptun [REDACTED EMAIL]
To: [REDACTED AUTHOR] [REDACTED EMAIL] Date: Fri, May 17, 2024, 7:38 PM

Dear Student, we kindly inform you that on your training (name: Medicine Basic Education Credit
(undivided) code:AOK_ORVOS_TA_O) the following Lecturer's signature with the result Signed
(Date of entry: 2024. 05. 17.) has been registered2024. 05. 17. for the subject 'AOKANT853_2AMacroscopic Anatomy and Embryology II.' and course . Result has been registered by: Andrea Dorottya Székely.

This is an automatically forwarded message from the Neptun. Please do not reply to this email address!
Unsubscribe from email: Messages, Settings, Automatic notifications.

Exhibit 1 — Departmental email instructing "drop signature / re-earn" (February 9, 2025). What it signifies: A departmental communication from Dr. Székely indicating that individuals are required to "drop their signature and re-earn it" as a prerequisite for attending classes. The email text has been printed and included in the redacted court bundle.

Legal and Regulatory References

Hungarian Law

- **Act CCIV of 2011 on National Higher Education**:
  - *Article 1(1)*: The state and institutions must maintain adequate conditions for high-standard education and system operation, including infrastructure
  - *Article 6(3)*: Institutions must ensure the necessary human, organizational, and physical resources for continuous operation, including capacity and infrastructure.^2
  - *Article 45(2)*: Protects students' right to participate fully in compulsory course components.^3

Internal Semmelweis University Policy (SZMSZ)

- ***Articles 5, 11, 13 & 45*:**
  - Art 5 – Equal treatment of students in all educational activities.
  - Article 11 – The right to education includes full access to compulsory components.
  - Art 13 – Prohibits arbitrary restriction of attendance.
  - Article 45 – Attendance requirements must be clearly defined and applied equally. (4)

  Article 29 "A prerequisite for a student to undertake the examination concluding a course is that the instructor or course teacher certifies course completion, hereinafter referred to as a signature. The instructor's signature shall be recorded in NEPTUN by the conclusion of the study period, and no later than the first week of the examination period. Before each examination, the examiner shall verify that the signature has been duly obtained before commencement. The course coordinator or the course syllabus may be attached; however, previous decisions shall not be binding".

EU Law and Quality Standards

- **EU Charter of Fundamental Rights**:
  - *Article 14* – Right to education, including access to training and vocational learning. (5)
  - *Article 21* – Prohibition of discrimination, including in education.^6
- **European Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)**: Institutions must ensure learning resources and infrastructure are adequate and proportionate to student enrolment.^7

There is **no policy; internal SZMSZ university policies** explicitly prohibit students from photographing anatomical teaching specimens for personal, academic, or educational purposes. Neither Hungarian law nor internal SZMSZ university policies expressly prohibit students from photographing anatomical teaching specimens for personal, academic, or legal purposes. These assertions lack policy support; instead, they are underpinned by faulty claims, which have no supporting clause from the articles within the internal policy of Semmelweis University.

Facts include:

- There is no signage, clause, or handbook policy stating, 'no photos allowed.'
- No Hungarian or EU law criminalizes this documentation.
- The **Whistleblower Act (Act XXV of 2023)** legally protects this evidence as part of a public interest report.

Photographic documentation of degraded specimens may suggest inadequate academic standards, as it is utilized to assess the **anatomical knowledge of first-year M.D. students** at the university. The specimens included in Appendix D are regularly employed in oral midterm examinations approximately every six to seven weeks, enabling students to obtain the requisite validation for the course, commonly referred to as a signature. The appendix provides factual evidence and should not be construed as an act of defamation; rather, it constitutes an accurate and truthful representation.

If the university is confident in its standards, it should welcome transparency. If it is not, the world deserves to understand the reasons. The **Appendix D** statement has been prepared as part of a public interest disclosure submitted to the *Hungarian Ombudsman, Hungarian Accreditation Committee, ECFMG, and the WFME.*

Specimen 1

The anatomical specimen does not include the cranial nerves, and it is expected that we infer the anatomical locations of the cranial nerves within the midbrain, pons, and medulla oblongata. The specimen has deteriorated and lacks sufficient preservation to maintain the structures that the pins are intended to identify, specifically cranial nerves III (Oculomotor), **IV (Trochlear), and VI (Abducens**). A few of the cranial nerves can be identified in this specimen.

Specimen 2

The **anatomical specimen** lacks the cranial nerves, the **telencephalon of the cerebral hemispheres, and components of the basal ganglia, including the internal capsule—comprising the anterior, middle, and posterior segments—as well as the substantia nigra, particularly the pars compacta and pars reticulata**. Limited identifiable structures are present in this mutilated specimen. Approximately two-thirds of the cerebellum is missing, which hinders proper identification.

Specimen 3

This specimen lacks the **arterial blood supply**, including the **Circle of Willis**. Although the **pontine arteries** originating from the **basilar artery are present, they are incomplete, and the anterior superior cerebellar artery, posterior inferior cerebellar artery, and most of the arterial blood supply are unidentifiable.**

From: **Egyenl<egyenlobanasmod@ajbh.hu>**
Date: **Monday, June 30, 2025, at 11:38 AM**
To: Siddhartha Harsh Wardhan <siddhartha.harsh@stud.semmelweis.hu>
Subject: Submission of a Confirmation EBF - AJBH - 309 - 2025
Dear Sir or Madam,
I am writing to formally acknowledge the receipt of your electronic petition by the Office of the
Commissioner for Fundamental Rights of Hungary. Your petition will be forwarded to the relevant organizational unit for review and analysis, or to initiate an appropriate inquiry. Please be advised that emails lacking full names and residential addresses will be considered anonymous to protect personal data. If you wish for your case to be examined on its merits and have not disclosed your data, kindly provide your permanent residential and mailing addresses for correspondence. By the Act on the Commissioner for Fundamental Rights, the petitioner's identity shall be disclosed only if the inquiry cannot be conducted through alternative means. Should you request the investigation of your case, your identity will be duly protected.
It is essential to note that the petitioner's identity may not be disclosed. No individual shall suffer any disadvantage for consulting the Commissioner for Fundamental Rights.

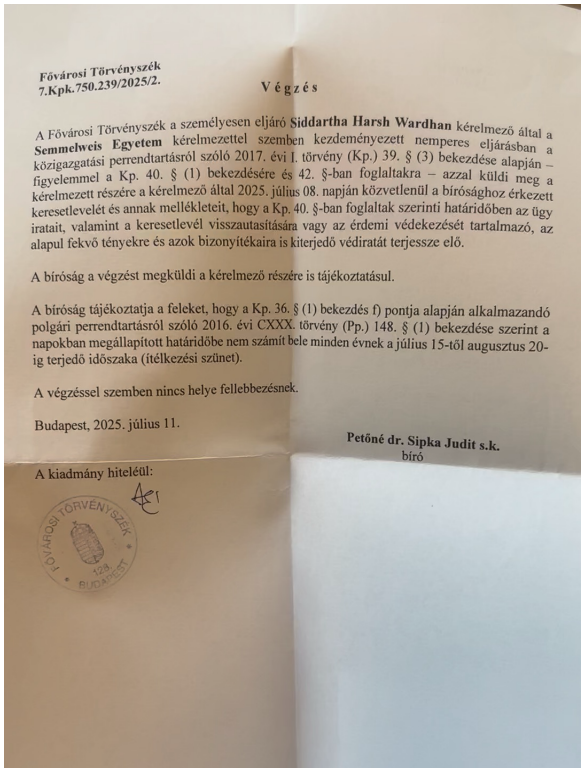
If your data is to be processed during our proceedings, please refer to the applicable regulations.
Notifications regarding the outcomes of investigations into petitions are sent to the affected individuals. Please note that we can only provide general information via email in response to messages deemed anonymous according to the above criteria.
There are regulations governing the administrative procedures undertaken by the Directorate-General for Equal Treatment, as well as the submission of petitions concerning violations of the principle of equal treatment, including cases of discrimination.
Information related to the procedures for submitting applications and details about these processes can be found on our homepage.
Please be advised that no administrative authority procedure shall be initiated based on petitions submitted via the platform known as “Online lodging of complaints with/without client gate identification.” We provide general information regarding discrimination and the related procedures for submitting petitions.
Furthermore, I inform you that, following Act XXV of 2023, concerning complaints and disclosures in the public interest, and the associated regulations on reporting abuses (the Whistleblower Protection Act), any individual may submit a public disclosure, interest disclosure, or whistleblower report via the secure electronic system maintained by the Commissioner for Fundamental Rights. [Act XXV of 2023 on Complaints and Whistleblower Protection (Hungary)]

A public interest disclosure highlights an issue whose resolution or cessation benefits the overall community or society. Such disclosures may also include proposals. Regarding whistleblower reports, information concerning illegal acts, omissions, or other suspected misconduct may be communicated to the relevant government agencies responsible for specialized whistleblowing mechanisms. Details about the procedures for submitting

public interest disclosures or whistleblower reports, along with the appropriate protocols, are available on our website.
Our office conducts investigations into disclosures of public interest or whistleblower reports exclusively under the Whistleblower Protection Act and only for disclosures or reports that are formally registered within the secure electronic system.

Yours sincerely, Office of the Commissioner for Fundamental Rights

Metropolitan Court of Budapest
Case No.: 7.Kpk.750.239/2025/2



Fővárosi Törvényszék
7.Kpk.750.239/2025/2.

V é g z é s

A Fővárosi Törvényszék a személyesen eljáró **Siddartha Harsh Wardhan** kérelmező által a **Semmelweis Egyetem** kérelmezettel szemben kezdeményezett nemperes eljárásban a közigazgatási perrendtartásról szóló 2017. évi I. törvény (Kp.) 39. § (3) bekezdése alapján – figyelemmel a Kp. 40. § (1) bekezdésére és 42. §-ban foglaltakra – azzal küldi meg a kérelmezett részére a kérelmező által 2025. július 08. napján közvetlenül a bírósághoz érkezett keresetlevelét és annak mellékleteit, hogy a Kp. 40. §-ban foglaltak szerinti határidőben az ügy iratait, valamint a keresetlevél visszautasítására vagy az érdemi védekezését tartalmazó, az alapul fekvő tényekre és azok bizonyítékaira is kiterjedő védiratát terjessze elő.

A bíróság a végzést megküldi a kérelmező részére is tájékoztatásul.

A bíróság tájékoztatja a feleket, hogy a Kp. 36. § (1) bekezdés f) pontja alapján alkalmazandó polgári perrendtartásról szóló 2016. évi CXXX. törvény (Pp.) 148. § (1) bekezdése szerint a napokban megállapított határidőbe nem számít bele minden évnek a július 15-től augusztus 20-ig terjedő időszaka (ítélkezési szünet).

A végzéssel szemben nincs helye fellebbezésnek.

Budapest, 2025. július 11.

Petőné dr. Sipka Judit s.k.
bíró

A kiadmány hiteléül:

FŐVÁROSI TÖRVÉNYSZÉK * 428 * BUDAPEST

ORDER

In the non-contentious proceedings initiated in person by **Siddartha Harsh Wardhan**, applicant, against **Semmelweis University** as respondent, the Metropolitan Court, pursuant to Section 39 (3) of Act I of 2017 on the Code of Administrative Procedure (Kp.), taking into account Section 40 (1) and Section 42 of the Kp., hereby sends to the respondent the statement of claim and its annexes, which the applicant submitted directly to the court on July 8, 2025, together with the request that, within the time limit laid down in Section 40 (8) of the Kp., the respondent shall submit its statement of defence on the merits, including the rejection of the statement of claim, its legal grounds, and any evidence.

The Court shall also forward this order to the applicant for information.

The Court further informs the parties that, under Section 36 (1)(f) of the Kp., the provisions of Section 148 (1) of Act CXXX of 2016 on the Code of Civil Procedure (Pp.) are applicable, which state that the period from **July 15 to August 20** of each year (judicial vacation) shall not be included in any procedural time limit.

There is no appeal against this order.

Issued in Budapest, July 11, 2025.*Judge: Dr. Judit Sipka, s.k.*

(With official court seal)

Chronology of Events:

The student's ordeal extended from February to July 2025, commencing with an email from Dr. Andrea Székely dated February 9, 2025, which signified the initiation of administrative obstruction. The subsequent key milestones are delineated in chronological sequence: February–May 2025; the student was repeatedly denied access to cadaver dissection laboratories despite having the entitlement to attend.

- June 26, 2025: The student was required to take the final anatomy examination without having received adequate practical training. - Correspondence with university officials.
- June 30, 2025: The Hungarian Ombudsman formally acknowledged the case (Case No. EBF-AJBH-309-2025).
- July 3, 2025: An official legal petition was filed with the Hungarian Administrative Court.
- July 5, 2025: The whistleblower status was confirmed on the Ombudsman portal.
- July 14, 2025: A formal response was received from Professor Dr. Alán Alpár, Vice-Rector for International Studies. The response lacked a definitive resolution and is documented in Appendix F.
- July 20, 2025: The case was recognized by several oversight bodies, including ECFMG (Special Investigator: Samantha Abbott), WFME, FAMR, and the Hungarian Accreditation Committee.
- July 22, 2025: An appointment was scheduled with the Ombudsman to escalate the case formally.- August 6, 2025 – Scheduled
- July 28, 2025: A formal report was submitted to the Hungarian Accreditation Committee (MAB), following a referral from WFME. The report illuminated inconsistencies in the enforcement of laboratory access policies for FM/CV students. An automated confirmation of receipt was received.
- On August 6, 2025, the researcher convened with the Ombudsman officer, accompanied by a translator. During this meeting, the researcher provided an overview of his legal studies to the Ombudsman officer and the translator. The session lasted approximately forty minutes and was documented with the consensus of the Ombudsman officer and translator. Documents were signed to acknowledge that the researcher is aware that any false statements made during the investigations could result in fines ranging from HUF 10,000 to HUF 1,000,000.

The denial of access to cadaver dissection laboratories constituted a clear breach of established policy. The university not only failed to adhere to its regulations but also contravened fundamental principles of fairness and student rights. The justification offered—FM/CV status—lacked support from any explicit exclusion clause within the Study and Examination Regulations (SZMSZ). Instead, it seems to have been applied arbitrarily, resulting in an academic disadvantage for the student.

3. Implications for U.S. Citizens Abroad

For U.S. citizens studying abroad, these failures translate into financial harm **(tuition paid without fair access**), academic harm (**blocked progression and risk of attrition)**, and **civil rights harm (unequal treatment compared to local students).** Without U.S. intervention, American citizens face systemic disadvantages in foreign education systems.

4. Potential DOJ Roles

The **DOJ Civil Rights Division** has the mandate to investigate systemic discrimination and safeguard civil rights. Although its jurisdiction abroad is limited, it can acknowledge the case, document patterns of discrimination, and refer issues to diplomatic channels. The Office of International Affairs can liaise with the U.S. Embassy in Budapest, escalate concerns to Hungarian counterparts, and coordinate with accreditation bodies such as **ECFMG, WFME, and FAIMER** to ensure compliance in medical education.

Discussion

The Hungarian case exemplifies broader deficiencies in transnational educational oversight. Domestically, the **Department of Justice's Civil Rights Division** enforces anti-discrimination statutes, such as **Title VI of the Civil Rights Act of 1964**, which prohibits discrimination in programs receiving federal funding. Although these statutes do not extend directly to foreign jurisdictions, the principles they embody—fair treatment, transparency, and equal opportunity—remain pertinent to safeguarding the rights of U.S. citizens abroad.

From an international law perspective, the Vienna Convention on Consular Relations obligates host nations to allow U.S. consular officers to assist citizens encountering legal or administrative challenges. In instances where local remedies are exhausted, the Department of Justice's Office of International Affairs can facilitate coordination between consular personnel and foreign institutions.

The escalation of this matter to the Department of Justice is not merely symbolic. It redefines the issue from an isolated academic dispute to a matter of civil rights enforcement impacting U.S. citizens overseas. This development highlights that educational discrimination is not solely a local concern, but a transnational human rights issue with significant implications for U.S. policy and diplomacy.

Conclusion

This case study demonstrates the limitations of local and regional oversight mechanisms in addressing systemic rights violations within Hungarian higher education. Despite formal filings with the Ombudsman and Administrative Court, the complainant received no adequate protection. For U.S. citizens abroad, such failures necessitate escalation to U.S. institutions.

The **DOJ, through its Civil Rights Division and Office of International Affairs**, provides critical pathways for documenting, escalating, and addressing these violations. While its jurisdiction is limited, its engagement can amplify cases through diplomatic channels, oversight of accreditation, and international cooperation. This dual role—encompassing both legal acknowledgment and diplomatic escalation—positions the DOJ as a crucial actor in safeguarding the rights of U.S. citizens studying abroad.

Unless such protections are reinforced, U.S. students in foreign institutions risk systemic discrimination, exploitation, and academic obstruction. By integrating academic documentation with U.S. legal advocacy, this case sets a precedent for how American citizens can defend their rights in transnational education systems.

ORCID iD: /0009-0005-4228-1124

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